

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**AZADEH DEGHANI  
PETITIONER**

**DORA CASTRO  
Otero Processing Center Warden  
RESPONDENT**

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**CASE No. 2:25-cv-00052-MIS-DLM**

**MOTION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

COMES NOW the Petitioner, Azadeh Dehghani, by and through undersigned counsel, FELIPE DJ MILLAN, and respectfully moves this Honorable Court for the issuance of a Writ of Habeas Corpus Ad Testificandum to secure her presence. Petitioner is currently detained at the Otero Processing Center, for the purpose of providing testimony at the hearing scheduled in the above-captioned matter. In support of this motion, Petitioner states as follows:

1. Petitioner's action is pending before the United States District Court for the District of New Mexico, Case No. 2:25-cv-00052-MIS-DLM.
2. The Court has scheduled a hearing on Wednesday, February 26, 2025 at 12:00 PM to address the issues raised in the Petition for Writ of Habeas Corpus filed by the Petitioner.
3. Azadeh Dehghani is a material witness whose testimony is essential to the just resolution of this matter.
4. The anticipated testimony will address the circumstances surrounding her detention, the conditions of her confinement, and the legal grounds for the issuance of the Expedited Removal Order.

5. Petitioner, Azadeh Dehghani, is a national and citizen of Canada who was accorded a TN Visa in 2021 through her employment as a substitute teacher for Little Elm Independent School District in Little Elm, Texas.
6. Petitioner was issued an Expedited Removal Order under the provisions of INA § 212(a)(7)(A)(i)(I) on December 24, 2024.
7. Without any proper notice or explanation, the Petitioner was issued an Expedited Removal order and taken into custody and transferred to the Otero Processing Center.
8. On December 24, 2024, Petitioner was taken into custody by Immigration and Customs Enforcement (ICE).
9. Respondent, Dora Castro, the Warden of Otero Processing Center, along with U.S. Immigration and Customs Enforcement (ICE) and the Department of Homeland Security (DHS), have physical custody of Petitioner, Azadeh Dehghani.
10. Respondent, Dora Castro, is a custodial official acting within the boundaries of the judicial district of the United States District Court for New Mexico. Pursuant to Respondent's orders, Petitioner remains detained.
11. The physical custody of Respondent by Dora Castro, at the Otero Processing Center, is in violation of Petitioner's constitutional rights.
12. Petitioner has not been served with a Notice to Appear, nor has she been told why she was issued an Expedited Removal Order.
13. Petitioner was not given the opportunity to be presented in front of an Immigration Judge.
14. Petitioner contends she was given an Expedited Removal Order in violation of the law.

15. Petitioner is currently detained at Otero Processing Center, located at 26 McGregor Range Road, Chaparral, New Mexico 88081, and is unable to appear voluntarily before the Court.

16. Pursuant to 28 U.S.C. § 2241(c)(5) and the Court's inherent authority, the Court may issue a writ of habeas corpus ad testificandum to produce a detainee for testimony when it is necessary to secure a fair and just determination of the matter.

WHEREFORE, Petitioner respectfully requests that this Court issue a Writ of Habeas Corpus Ad Testificandum directing the Respondent, Dora Castro, the Warden of Otero Processing Center, along with U.S. Immigration and Customs Enforcement (ICE) and the Department of Homeland Security (DHS), and any other appropriate authority, to produce Azadeh Dehghani at the scheduled hearing before this Court and for such other relief as this Court deems just and proper.

Respectfully submitted,

/S/ FELIPE DJ MILLAN  
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**ATTORNEY FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I, **FELIPE D.J. MILLAN**, do hereby certify that a true and correct copy of the foregoing instrument was forwarded to the United States Attorney's Office via CM/ECF system on this 25th day of February 2025.

/S/ FELIPE DJ MILLAN  
**FELIPE D.J. MILLAN**